



DPW

Attorney Docket No.: 60188-734
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Makoto KITABATAKE, et al. : Customer No.20277
Serial No.: 10/736,672 : Confirmation No.: 4123
Filed: December 17, 2003 : Group Art Unit: 2815
For: SEMICONDUCTOR DEVICE AND SUSTAINING CIRCUIT : Examiner: ALLAN R. WILSON

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed June 27, 2005, having a shortened statutory period for response set to expire July 27, 2005, wherein the Examiner has restricted the application into the following distinct *Species*:

- Species I* - Figures 1A-3, drawn to a bi-directional device according to a first embodiment, which appear to be claims 1-7; and
- Species II* - Figure 4, drawn to a sustaining circuit according to a second embodiment, which appear to be claims 7-9.

Applicants elect Species I, with claims 1-6 readable thereon, for initial prosecution on the merits. Applicants also reserve the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.


Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date:

7/25/05

By:



Michael E. Fogarty
Registration No.: 36,139

600 13th Street, N.W., Suite 1200
Washington, D.C. 20005-3096
Telephone: 202 756 8000
Facsimile: 202 756 8087